



# **TASER CEW ANNUAL CONDUCTED ENERGY WEAPON (CEW) USER UPDATE**

AXON Academy | TASER Training

Version 21 - Effective January 14, 2019

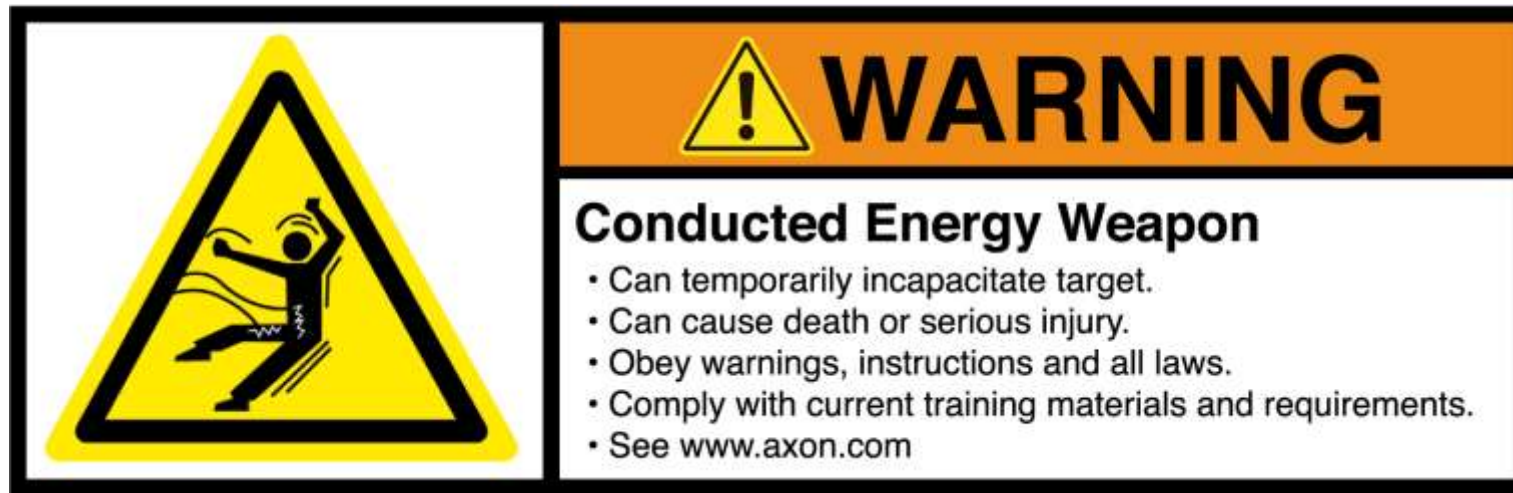
# ANNUAL CEW USER UPDATE CONTENTS

- Annual User Recertification Requirements
- CEW Warnings
- CEW Targeting/Tactical Considerations
- CEW Smart Use Considerations
- CEW Medical Overview

# ANNUAL RECERTIFICATION REQUIREMENTS

- Review this PowerPoint
- Receive and review current version of:
  - TASER Law Enforcement Product Warnings
  - CEW Study Aid: Smart Use Considerations
- Pass Functional Test
- Deploy a minimum of 2 live CEW cartridges into preferred target zones

# TASER CEWS ARE NOT RISK FREE



**REVIEW AND UNDERSTAND TASER CURRENT PRODUCT WARNINGS**

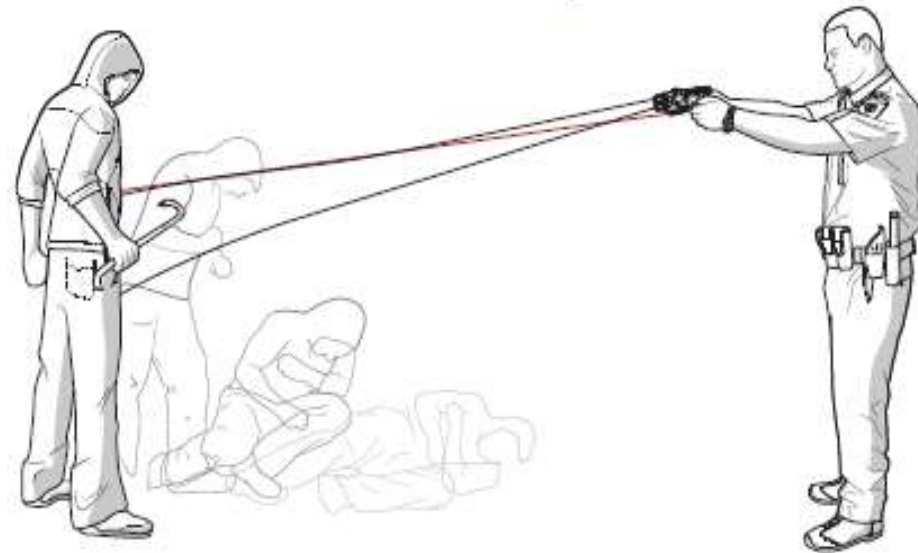
# CEW ADVANTAGES

- Most studied and most effective minimal force option
- Reduces risk of injury to officers and suspects alike
- Saves lives and de-escalates use of deadly force
- Allows incapacitation from a distance
- In probe mode, does not rely on pain compliance
- Displaying red LASER dot or arcing the current often achieves compliance without deployment

# TACTICAL CONSIDERATIONS

- Probe Placement Considerations
- Limited CEW Effectiveness
- Other Tactical Considerations

# TARGETING



Avoid intentionally targeting the CEW on sensitive areas of the body such as the head, throat, breast/chest or area of the heart, genitals, or known pre-existing injury areas without legal justification

# Use Preferred Target Zones: Rear (when practicable)

## Below neck (green zone)

- Large muscles
- Avoid head and neck

***The back is the most preferred target area when reasonably practicable because it contains larger muscle groups and reduces risk of hitting sensitive body areas***

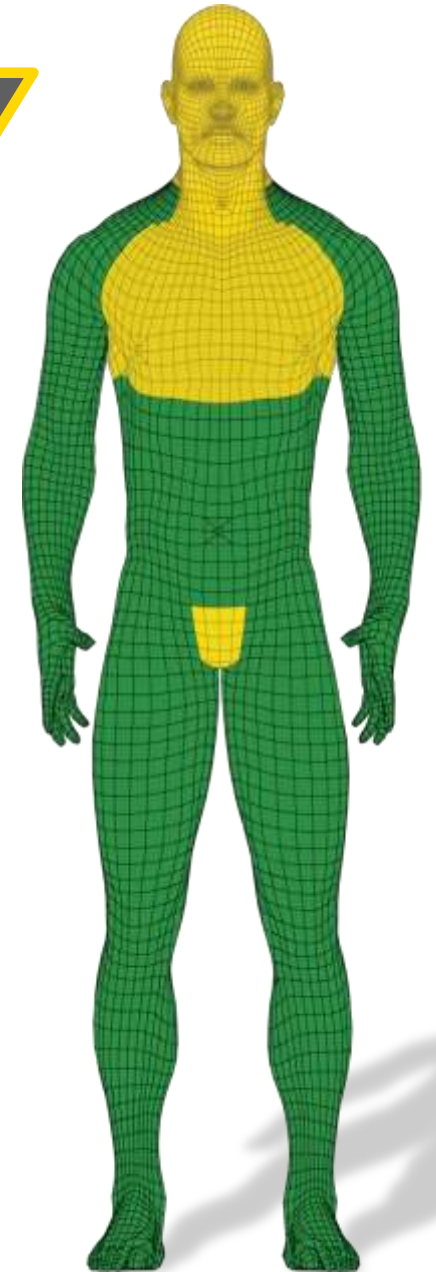




# Use Preferred Target Zones: Front (when practicable)

## Lower torso (green zone below chest)

- More effective than hitting the chest
  - Larger muscles (legs)
  - Split the beltline
- Reduces risk of hitting sensitive body areas (see product warnings)
- Increases dart-to-heart safety margin distances
- Do not intentionally target head, eyes, throat, chest or genitals

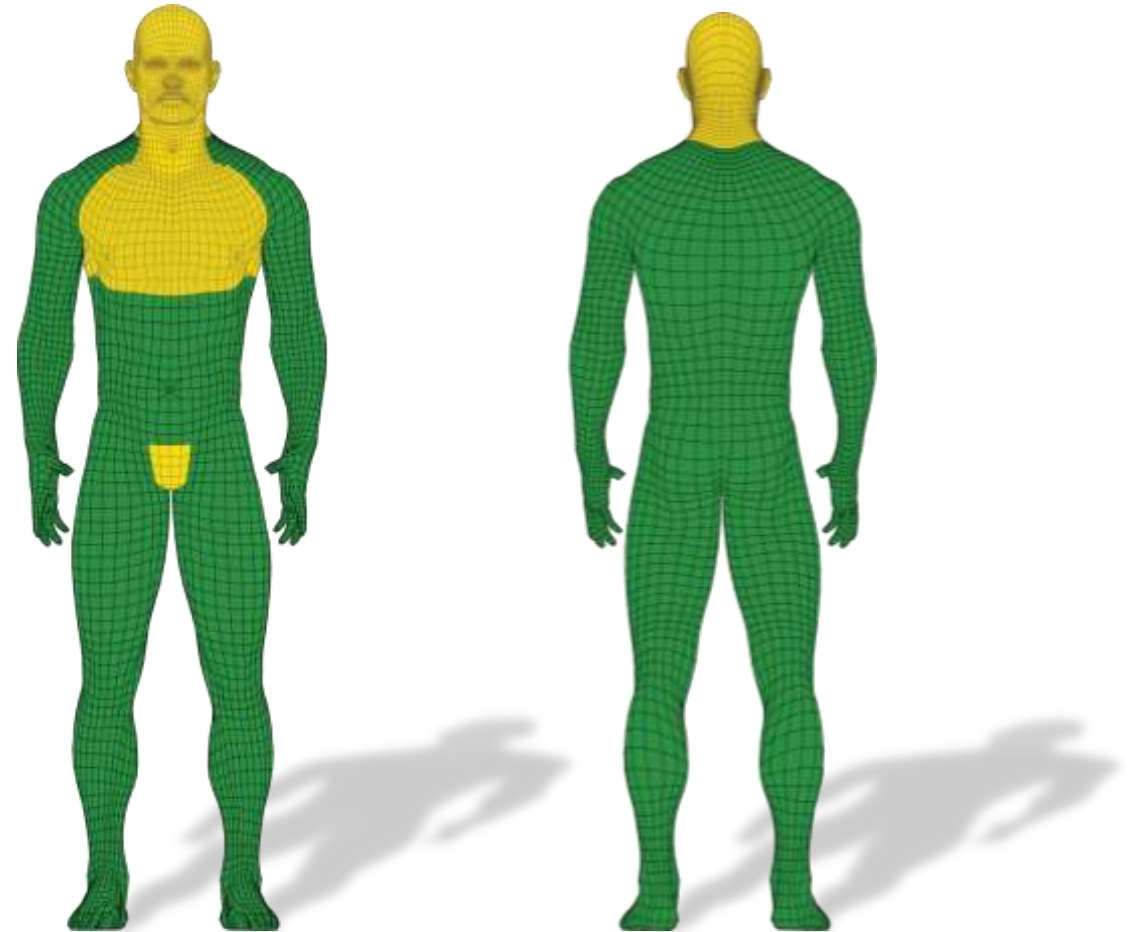


# Use Preferred Target Zones: Front (when practicable)

**CEW cardiac risks are low,  
but not zero**

**To reduce cardiac risks  
(when practicable):**

- Target the back
- Avoid targeting the chest
- Avoid heart region
- Avoid repeated or continuous exposures



# NEURO-MUSCULAR INCAPACITATION (NMI)

- CEWs may not always achieve NMI
- NMI levels range from limited area effects to significant body lockup
- [REDACTED]
- Subject may maintain muscle control, particularly in arms and legs
- [REDACTED]
- [REDACTED]

# PROBE SPREAD

- Greater probe spreads generally increase effectiveness

- [Redacted]

- [Redacted]

- [Redacted]

- [Redacted]

# SPLIT THE BELTLINE

For close-range deployments:



Target the waist area to “split the belt line”

- Affects core muscles needed for balance
- Increases officer and cardiac safety



Avoid the genitals when practicable



# SOME CAUSES OF LIMITED CEW EFFECTIVENESS

- Miss or single dart hit
- Incomplete, broken, or intermittent circuit
- Loose or thick clothing
- Low nerve or muscle mass hit
- Obese subject
- Limited probe spread
- Wires break
- Operator error

# LOOK FOR CHANGES IN BEHAVIOR

- Look AND listen when evaluating the effectiveness of a CEW deployment
- Watch the subject's reaction and look for a change in behavior
- Loud arcing sound typically indicates no or intermittent connection
- Intermittent arcing typically indicates a poor connection such as a clothing disconnect

# ARCING SOUNDS

If you *hear* a loud arcing noise and see no change in subject behavior, *think* bad connection



Reload (X26/X26P) and target different area or 3-point drive stun follow-up with cartridge still attached



For X2 and TASER 7 deploy second cartridge



Consider using other force options



# TACTICAL CONSIDERATIONS

- Avoid TASER CEW over-dependence
- Have reasonable and appropriate force options available
- Consider cover and distance tactics

## When practicable:

- Have at least one back-up officer present to control/cuff under power
- Optimize choice of landing zone
- Deploy to back (rather than front)

# TACTICAL CONTINGENCIES

- CEW may have limited or no effect
- No weapon system will operate or be effective all the time
- A CEW or cartridge may not fire
- Do not attempt to reuse a “dud” cartridge and carry a spare cartridge if possible per department policy
- Be prepared to transition to other force options

# BE CAREFUL OF DISTRACTIONS

- Officers have been accused of using excessive CEW exposures due to stress or distractions, including nearby family members, bystanders, and incident witnesses
- Distraction or situational stress may result in electrical discharge of unintended duration if the officer inadvertently holds the trigger down
- Be alert to and avoid potential distractions that may result in extended exposures or unintentional additional applications

# CONTROLLING/CUFFING UNDER POWER





- Use each 5-second CEW cycle as a “window of opportunity” to establish control/cuff while subject is affected
- You can go hands on with the subject during the 5-second cycle without getting shocked
  - Do not place hands on or between probes
  - Do not touch wires


# TACTICAL CONSIDERATIONS

- Be aware of the maximum range of your cartridges
- [REDACTED]
- [REDACTED]
- Failure to do so may result in wire breakage or probe disconnect causing loss of CEW contact with the subject

# SMART USE CONSIDERATIONS

## Hand out CEW Study Aid

	<p align="center"><b>TASER CONDUCTED ENERGY WEAPON (CEW) Use GUIDELINES</b></p> <p>This is a study guide only and is a supplement to, but not a substitute for, TASER warnings and training. Be trained and read full warnings (available online at <a href="http://www.axon.com/legal">www.axon.com/legal</a>).</p> <p>CEWs have risks and CEW use and physical incapacitation, alone or in combination with physical exertion, stress, unforeseen circumstances, or individual susceptibilities, may ↑ risk or cause serious injury or death.</p>	 <div style="border: 1px solid black; padding: 5px;"> <p align="center"><b>WARNING</b></p> <p><b>Conducted Energy Weapon</b></p> <ul style="list-style-type: none"> <li>• Can temporarily incapacitate target.</li> <li>• Can cause death or serious injury.</li> <li>• Obey warnings, instructions and all laws.</li> <li>• Comply with current training materials and requirements.</li> <li>• See <a href="http://www.axon.com">www.axon.com</a>.</li> </ul> </div>
<p><b>TASER CEW USE GUIDELINES</b> (THESE GUIDELINES MAY BE MORE RESTRICTIVE THAN CONSTITUTIONAL STANDARDS AND DO NOT CREATE OR ELEVATE A STANDARD OF CARE)</p>		
<ul style="list-style-type: none"> <li>• If no exigency or immediate safety risk exists, slow down and consider alternative force options/solutions including negotiation, commands, or physical skills.</li> <li>• Physical resistance alone does not equal an immediate safety risk.</li> <li>• Emotionally disturbed person (EDP) or mentally ill, by itself, does not indicate an immediate threat.</li> <li>• Choose a force option reasonably likely to cure the immediate safety risk.</li> <li>• CEWs do not replace deadly-force options.</li> </ul>		
<p><b>Incident Basics:</b></p> <ul style="list-style-type: none"> <li>• Complete training first; recertify annually</li> <li>• Review latest TASER CEW warnings</li> <li>• Follow all laws, regulations, policies</li> <li>• If CEW is not achieving intended goal, transition to different force option</li> <li>• Monitor subject post-CEW; if unresponsive, initiate EMS/CPR protocols</li> </ul>		<p><b>Subjects with Increased Risks (requiring ↑ justification):</b></p> <ul style="list-style-type: none"> <li>• Higher risk populations (children, pregnant, elderly, thin)</li> <li>• Known medical conditions (pregnancy, heart disease, pacemaker, seizure history)</li> </ul> <p><b>Secondary Risks (requiring ↑ justification):</b></p> <ul style="list-style-type: none"> <li>• Uncontrolled falls, subjects in elevated positions or running on hard surfaces             <ul style="list-style-type: none"> <li>- Consider if tackling or intentional grounding is objectively reasonable</li> </ul> </li> <li>• Operating machinery or transportation (car, motorcycle, bicycle, skateboard)</li> <li>• Presence of explosive, flammable substance, or vapor</li> </ul>
<p><b>Probe Targeting:</b></p> <ul style="list-style-type: none"> <li>• Back shots ↑ safety and effectiveness</li> <li>• Avoid intentionally targeting sensitive areas (eyes, head, throat, chest/heart, genitals, known pre-existing injury areas)</li> <li>• Use preferred target areas (green areas on target figures)</li> <li>• Avoid chest (↓ cardiac risks, particularly in thin subjects)</li> <li>• Close-range deployment - split belt line, maximize probe spread</li> </ul>		<p><b>Minimize Number and Duration of CEW Exposures:</b></p> <ul style="list-style-type: none"> <li>• Each CEW trigger pull or 5 seconds of discharge must be objectively reasonable</li> <li>• Control and restrain subject immediately, if safe and practicable</li> <li>• Use 5-second "window of opportunity" to restrain and "cuff under power"</li> <li>• Do not use multiple CEWs or multiple circuits without justification</li> <li>• Avoid repeated, extended, or continuous exposures beyond 15 seconds absent reasonably perceived immediate threat and ↑ justification</li> </ul>
<p><b>CEW Use:</b></p> <ul style="list-style-type: none"> <li>• Use objectively reasonable force under totality of circumstances</li> <li>• Use the minimum force necessary to accomplish lawful objectives</li> <li>• Give a verbal warning before using force, if practicable</li> <li>• Give subject reasonable opportunity to comply before force is used or repeated</li> <li>• Cease force once subject is under control</li> </ul>	<p><b>If person is NOT immediate threat or flight risk, Avoid CEW Use:</b></p> <ul style="list-style-type: none"> <li>• Without first attempting verbal de-escalation, commands, or physical skills</li> <li>• On person known or perceived to be emotionally disturbed or mentally ill</li> <li>• On elevated risk populations</li> <li>• For pain compliance if pain foreseeably ineffective due to ↑ tolerance from drugs, alcohol, or psychosis</li> </ul>	
<p><b>Drive (Touch/Contact)-Stun Use:</b></p> <ul style="list-style-type: none"> <li>• Avoid using CEW drive (touch/contact)-stun except:             <ul style="list-style-type: none"> <li>- 3 or 4-point contact to complete circuit or ↑ probe spread</li> <li>- "break-contact" or distraction tactic when assaulted or tied up with subject</li> <li>- brief application to attempt pain-compliance; must give reasonable time and opportunity to comply</li> </ul> </li> <li>• Avoid repeated drive-stuns if compliance is not achieved, particularly with EDPs</li> </ul>	<p><b>Documentation</b> (always document force/CEW justification):</p> <ul style="list-style-type: none"> <li>• Document immediate safety risks, danger, resistance, force used from officer POV</li> <li>• Body worn cameras and CEWs provide best objective documentation of events</li> <li>• Fully document (identify, collect, maintain evidence)             <ul style="list-style-type: none"> <li>- Subject's threats, behaviors, and actions</li> <li>- Each application of force, and each injury or alleged injury</li> <li>- Each CEW trigger pull or 5-second discharge</li> </ul> </li> </ul>	

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# SMART USE CONSIDERATIONS

When objectively reasonable  
and as practicable

- If no exigency or immediate safety risk exists, slow down and consider alternative force options/solutions including negotiation, commands, or physical skills
- Do not immediately resort to CEW
- Physical resistance or mental illness alone does not indicate immediate threat

# SMART USE CONSIDERATIONS

When objectively reasonable  
and as practicable

- Choose a force option reasonably likely to cure the immediate safety risk
- Use the minimum force necessary to accomplish lawful objectives
- Give a verbal warning before the use of force
- Give subjects a reasonable opportunity to comply before force is used or repeated
- Immediately cease any force once a subject is under control



# SMART USE CONSIDERATIONS

When objectively reasonable  
and as practicable



## Use CEW within:

- ❑ The law
- ❑ Department policy and training



## Do not use CEW for:

- ❑ Verbal defiance
- ❑ Belligerence
- ❑ Punishment
- ❑ Horse play

# Different Use of Force Standards May Apply

- Uses of force by law enforcement officers attempting to effect an arrest are governed by the 4<sup>th</sup> Amendment
- Different federal standards apply to uses of force on pretrial detainees and convicted prisoners
- Additionally, the laws of your state may be more restrictive than federal standards
- It is important that you research and know all use of force standards applicable to you given your jurisdiction and position
- This training version does not cover applicable standards under international law. If you are outside of the United States, please research those standards in your country

# 4<sup>th</sup> Amendment Standard

- When effecting an arrest, all officers must comply with the 4th Amendment when using TASER CEWs
- It is up to your agency to set its own policies for the use of TASER CEWs, which may be more restrictive than the Fourth Amendment standard
- TASER provides Smart Use Considerations for the use of TASER CEWs, but does not set the standard

# 4<sup>th</sup> Amendment Standard

## ***Graham v. Connor*, 490 U.S. 386 (1989)**

Officer's force must be objectively reasonable under the totality of circumstances as reasonably perceived by the officer at the moment the force is used

### **3 Main Factors:**

- ❑ The severity of the crime at issue
- ❑ Whether the suspect poses an immediate threat to the safety of the officers or others
- ❑ Whether subject is actively resisting arrest or attempting to evade arrest by flight

# USE OF FORCE ON PRETRIAL DETAINEES (DETAINED BUT NOT CONVICTED)

- Analyzed under the 14th Amendment Due Process Clause
- **Kingsley v. Hendrickson, 576 U.S. \_\_\_\_, 135 S.Ct. 2466 (2015):**  
the use of force must be objectively reasonable, while considering legitimate interest to manage detention facility and maintain order, discipline and institutional security

# USE OF FORCE ON PRETRIAL DETAINEES (DETAINED BUT NOT CONVICTED)

Factors to consider:

- Relationship between the need for use of force and the amount of force used
- Extent of plaintiff's injury
- Extent of plaintiff's injury
- Effort made to temper or limit amount of force
- Severity of the security problem at issue
- Threat reasonably perceived by the officer
- Whether plaintiff was actively resisting

# USE OF FORCE ON CONVICTED PRISONERS

- Analyzed under the 8th Amendment's prohibition against cruel and unusual punishment
- **Whitley v. Albers, 475 U.S. 312 (1986):**  
A use of force is unlawful if it amounts to an unnecessary and wanton infliction of pain – “whether force was applied in a good faith effort to maintain or restore discipline, or maliciously and sadistically for the very purpose of causing harm.”

# USE OF FORCE OF CONVICTED PRISONERS

## Factors to consider:

- ❑ Relationship between the need for use of force and the amount of force used
- ❑ Extent of plaintiff's injury
- ❑ Extent of threat to safety of staff and inmates, as reasonably perceived by officials
- ❑ Effort made to temper or limit amount of force



# SMART USE CONSIDERATIONS

When objectively reasonable  
and as practicable

- Be able to justify every CEW trigger pull or 5-seconds of discharge under the specific circumstances presented
- Avoid repeated or continuous CEW exposures unless necessary to counter immediate threat
- Avoid using CEW on vulnerable or higher risk populations (e.g. small children, elderly, pregnant) unless necessary to counter immediate threat
- Monitor subject post-CEW use. As with any use of force, if subject is unresponsive, initiate EMS/CPR protocols

# SMART USE CONSIDERATIONS

When objectively reasonable  
and as practicable

## Avoid using CEW drive stuns *except*:

□

[REDACTED]

□

[REDACTED]

□

[REDACTED]






Do not repeat drive stuns if compliance not achieved

Do not use drive stuns if pain is unlikely to gain compliance due to mind-body disconnect (psychotic episode) or increased pain tolerance (drugs/alcohol)

# CEW MEDICAL/RISKS OVERVIEW

- Higher risk populations
- Injuries from falls
- Increased injury risk examples
- [REDACTED]
- Cardiac Risks
- Physiologic/Metabolic Effects

# HIGHER RISK POLULATIONS

-  Pregnant women
-  Mentally ill
-  Elderly
-  Small children
-  Low body-mass (very thin) persons

**CEW use on these individuals could increase the risk of death or serious injury**

# INJURIES FROM FALLS

- CEWs frequently cause subject to fall
- Falls are often uncontrolled
- Falls, even from ground level, can cause serious injuries or death (especially on hard surfaces)
- Always consider environment subject is standing on
- Consider if you would be justified in tackling or intentionally grounding

# INCREASED INJURY RISK EXAMPLES

- Elevated position
- In water, mud/muck (drowning risk)
- Operating machinery/vehicle
- Running or in motion (bike/skateboard)
- Sensitive target areas (head/eyes/groin)
- Probes in heart or chest area
- Repeated or continuous CEW discharges



[Redacted]

- [Redacted]

[Redacted]

- [Redacted]

[Redacted]

# CARDIAC RISKS

Experts have identified the following key factors related to CEW cardiac risks:

 Dart-to-heart distance

 Duration of delivered electrical charge

**The further the CEW dart is away from the heart and the fewer CEW cycles applied, the lower the risk of the CEW affecting the heart**



# CARDIAC RISKS

CEW cardiac risks are low,  
but not zero

To reduce cardiac risks  
(when practicable):



Target the back








Avoid targeting the chest



Avoid prolonged or continuous exposures

# PHYSIOLOGIC/ METABOLIC RISKS

CEWs may produce effects that could increase the risk of sudden death, including changes in:

-  Blood chemistry
-  Blood pressure
-  Respiration
-  Heart rate and rhythm
-  Adrenaline and stress hormones

**The longer the CEW exposure,  
the greater the potential effects**

# **AVOID REPEATED/EXTENDED CEW DURATIONS**

- Minimize the number and duration of CEW exposures
- CEW exposure is a physically and psychologically stressful event
- Use the shortest duration of CEW exposure objectively reasonable to accomplish lawful objectives
- Avoid repeated or continuous exposures beyond 15 seconds absent reasonably perceived immediate threat and increased justification
- Reassess the subject's behavior before repeating or continuing the exposure, and provide time for compliance